UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/80
25 January 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

1. By resolution 881 (1993) adopted on 4 November 1993, the Security Council approved the continued presence of the small United Nations Observer Mission in Georgia (UNOMIG) until 31 January 1994, with the following interim mandate:

(a) To maintain contacts with both sides to the conflict and military contingents of the Russian Federation;

(b) To monitor the situation and report to Headquarters, with particular reference to any developments relevant to the efforts of the United Nations to promote a comprehensive political settlement.

2. The Council also decided that UNOMIG would not be extended beyond 31 January 1994 unless the Secretary-General reported to the Council that substantive progress had been made towards implementing measures aimed at establishing a lasting peace or that the peace process would be served by the prolongation of its mandate. The Council also requested me, inter alia, to report by late January 1994 on the activities of UNOMIG.

3. In my letter of 16 December 1993 addressed to the President of the Security Council (S/26901), I reported that the Memorandum of Understanding, signed by the parties to the conflict on 1 December 1993 in Geneva, manifested encouraging progress towards lasting peace in the area. I sought from the Council contingent authority to deploy up to 50 more United Nations military observers (in addition to the 5 already present), together with a minimal number of civilian support staff. I indicated that UNOMIG, thus reinforced, would be better placed to ascertain the actual conditions on the ground and to plan and prepare for a further expansion, should the next round of negotiations scheduled to begin on 11 January warrant it.

4. By resolution 892 (1993) of 22 December 1993, the Security Council authorized the phased deployment of up to 50 additional military observers to UNOMIG and requested me to inform the Council on the duties of new observers beyond the initial 10 referred to in my letter (S/26901). The Council also expressed its willingness to review the existing mandate of UNOMIG, taking into account any progress achieved towards the promotion of a comprehensive political settlement and in the light of my report due in late January 1994. The Council

indicated that the report should cover, inter alia, the specific activities UNOMIG would undertake, prospects for the mission and anticipated costs, in the light of the situation on the ground and in the negotiations.

A. Political efforts

5. Following the signature of the Memorandum of Understanding of 1 December 1993 (S/26875), my Special Envoy for Georgia, Ambassador Edouard Brunner, chaired a second round of negotiations in Geneva from 11 to 13 January 1994. The participants were the two parties to the conflict, the Russian Federation in its capacity as facilitator and a representative of the Conference on Security and Cooperation in Europe (CSCE). Representatives of the United Nations High Commissioner for Refugees (UNHCR) also took part.

6. On 13 January, the representatives of the Abkhaz and Georgian sides signed a communiqué, subsequently transmitted to the Council by the Government of Georgia (S/1994/32). On the following day, 14 January, representatives of the two sides continued discussions on a draft quadripartite agreement concerning repatriation prepared by UNHCR. This agreement provides the basis for detailed arrangements for the voluntary return of refugees and displaced persons to their places of permanent residence in Abkhazia. It is expected that this agreement will be signed before the end of January by both parties and by representatives of the Russian Federation and UNHCR.

7. In the communiqué, it was noted that the provisions of the Memorandum of Understanding were, for the most part, being implemented. An exchange of prisoners had taken place on the principle of "all for all"; representatives of UNHCR had carried out a first preparatory visit; and on 15 and 16 December 1993 a meeting took place in Moscow of a group of experts to prepare recommendations on the political status of Abkhazia. At the same time, however, uncontrolled groups had continued to carry out acts of looting and violence and work to find the missing and the dead resulting from the fighting of September and October 1993 had not yet begun.

8. The two sides reaffirmed their commitment not to use force or the threat of force against each other. They also agreed that the establishment of favourable conditions for further progress towards a political settlement and the practical implementation of agreements would be promoted by the deployment of a full-scale peace-keeping operation in Abkhazia. They made further statements on military aspects, which I discuss below in the section of the present report concerning UNOMIG.

9. The two sides recognized in the communiqué that the primary objective was a comprehensive political settlement of the conflict and that all efforts were contributions to its achievement. The first meeting of experts to discuss the issues of political status of Abkhazia, held in Moscow on 15 and 16 December 1993, would be followed by a second meeting, which would also be held in Moscow, beginning on 8 February 1994.

10. In order to underscore the importance of the issue of defining a political status for Abkhazia acceptable to both sides, the communiqué contained a call from the United Nations, CSCE and the Russian Federation for the parties to proceed from the need to observe the territorial integrity of Georgia and fully to ensure the interests of the entire multinational population of Abkhazia, those being the fundamental principles of a comprehensive settlement. That point was also brought personally to the attention of the leaders of the Georgian and Abkhaz delegations on my behalf by the Under-Secretary-General for Political Affairs, Mr. Marrack Goulding, who attended part of the second round of negotiations.

11. It was agreed in the communiqué that the third round of negotiations would be held on 22 February 1994 in Moscow or Geneva.

12. On 21 January, in Paris, I discussed the situation in Abkhazia extensively with H.E. Mr. Eduard Shevardnadze, Head of State of the Republic of Georgia. During these discussions, he strongly urged me to recommend an increase in the United Nations military presence in Abkhazia as soon as possible.

B. Refugees and displaced persons

13. UNHCR believes that there are some 300,000 persons who fled Abkhazia as a result of the fighting and who are now either displaced elsewhere in Georgia or refugees in other countries. Already there is a trickle of spontaneous returnees but, as yet, adequate security does not exist to encourage a general return of the population. In the meantime, the presence of some 250,000 displaced persons within Georgia is creating major social, economic and political problems. Pressure is growing among the displaced and dispossessed to return to their homes.

14. In the view of UNHCR, which I share, the return of refugees and displaced persons is contingent upon the re-establishment of security for civilians in Abkhazia. Although the restoration of civil law and order is primarily a task for the local police authorities, in the present circumstances the refugees and displaced persons cannot be expected to have confidence that they will not be subject to revenge attacks and further incidents of violence. The significant presence of a third party would help to reduce fear and provide some assurance of safety. The parties to the conflict recorded in the communiqué of 13 January their request to the United Nations and the Russian Federation for assistance in creating a safe environment conducive to the return of refugees and displaced persons.

15. To this end, the parties to the conflict have agreed to establish a special commission on refugees consisting of the parties, the United Nations (i.e. UNHCR) and the Russian Federation to begin work on 25 January 1994. Furthermore, it was agreed to begin on 10 February the implementation of a phased process of returns to Abkhazia, and as a first stage to the Gali region, which is close to the Inguri river. If this work is to proceed successfully, and if UNHCR is to be able to promote the return of people to their homes, it will be essential to take early steps to stabilize the local situation. The

parties, supported by the Russian Federation, take the view that that would best be achieved by the introduction of a third-party military force into the area.

16. Although specific dates were identified in the communiqué, UNHCR made it clear in the discussion that progress in the return of refugees would be contingent upon the prior establishment of adequate security conditions.

C. Economic issues

17. In the communiqué, the Georgian and Abkhaz sides expressed their interest in the establishment, no later than 15 February, of an international commission to assist in economic recovery in Abkhazia with the participation of international and national organizations. Among its highest priorities, according to the communiqué, must be the restoration of vital facilities, transport, communications, airports, bridges and tunnels.

D. UNOMIG and military issues

18. Both sides have appealed to the Security Council that, at its forthcoming review of UNOMIG, it should authorize an appropriate expansion of UNOMIG's mandate, inter alia, to entrust it with "control of the non-resumption of hostilities" in the zone of conflict. The relevant part of the communiqué continues:

> "... The Parties continued to favour the deployment in the conflict zone of United Nations peace-keeping forces or other forces authorized by the United Nations. They expressed their mutual consent to the use of a Russian military contingent as part of such forces.
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> "Within five days after deployment in the zone of conflict, in accordance with a decision of the Security Council, of an additional number of international observers and following the arrival of peace-keeping forces, the parties shall carry out the withdrawal of all armed units, with their weapons and military equipment, from the Inguri river and other possible lines of active confrontation in the conflict zone to a distance to be determined by the officers commanding the peace-keeping forces and UNOMIG, with the agreement of the parties. Simultaneously, international observers and peace-keeping forces will enter the areas thus formed.
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> "There shall be complete disarmament and withdrawal of all kinds of volunteer units and individuals participating in the conflict. Inspections by international observers are permitted at crossing points on the Psou river."

19. The duties and activities of UNOMIG to date have been limited to the mandate described in paragraph 1 above. Based in Sukhumi, UNOMIG, whose strength at 24 January stood at 20 military observers, has conducted mobile patrols in most parts of Abkhazia. They have liaised with local military contingents and their presence has generally been welcomed by the remaining inhabitants. Daily reports on the situation have been submitted to United

Nations Headquarters in New York on both their military activities and their contacts with Abkhaz political authorities. The Chief Military Observer, Brigadier-General John Hvidegaard (Denmark), was present at the exchange of prisoners-of-war on 19 December 1993.

20. Being unarmed, however, UNOMIG has not been able to operate freely in the Inguri river area and the Gali region for lack of security caused by roving uncontrolled gangs and owing to the proximity of lines of potential confrontation. It is worth recalling that, while there has been a tacit cease-fire between the two sides since the fighting in September/October 1993, there has been no formal cease-fire agreement other than the Memorandum of Understanding of 1 December in which they declared their commitment not to use force or the threat of force against each other.

E. Observations

21. The roots of this dispute go back many years. A comprehensive settlement to the conflict will not be easy. Furthermore, the fighting, the violations of human rights and the extensive looting and damage to property that have taken place since 1992 have aroused deep enmity between the two sides. It should not therefore be surprising that negotiations for an acceptable political status for Abkhazia will take time. Bearing in mind that fierce fighting broke out in August 1992 and has erupted twice since then, the present cease-fire, which is not based on a written agreement, is fragile. I believe that, in the interests of avoiding yet further conflict, of creating conditions for humanitarian relief and repatriation and of constructing a lasting peace, it is desirable that the United Nations presence on the ground should be prolonged. In making this judgement I have also taken into account the fact that the tensions and conflict situations that exist in the newly independent States of the former Soviet Union carry much significance for regional stability and international peace and security. They are as worthy of United Nations attention as those in other regions.

22. If in these circumstances the Security Council decides that a larger international military presence in Abkhazia is desirable both to consolidate the cease-fire and to create conditions for the return of refugees and displaced persons, that presence could take a number of possible forms. Two in particular have been discussed with my Special Envoy and with the group of Member States that have constituted themselves as the "Friends of Georgia". These two options are as follows:

(a) Option 1. The Council could establish a traditional United Nations peace-keeping force, under United Nations command and control, to operate initially in the areas of the Gali region and the Inguri and Psou rivers in order to carry out an effective separation of forces, to monitor the disarmament and withdrawal of armed units and, by its impartial presence in the Gali region, to help to create conditions that would be conducive to the return of refugees and displaced persons. The Russian Federation has informally circulated a proposal for the establishment of such an operation. Its preliminary calculation is that, in order to be effective, such a force might be in the order of 2,500 troops. In accordance with normal United Nations practice, this

would be a multinational force and no one country would contribute more than about one third of its strength;

(b) Option 2. The Council could authorize a multinational military force, not under United Nations command and consisting of contingents made available by interested Member States, including the Russian Federation, to carry out the functions described in option 1 above. UNOMIG would be kept in being and entrusted with the tasks of monitoring the operations of the multinational force, liaising with the local authorities in Abkhazia and observing developments on the ground. To enable UNOMIG to perform these functions, it would be necessary that the countries contributing to the multinational force provide the United Nations with information about that force's concept of operations, command and control structures, deployment, rules of engagement and so on. The characteristics of the multinational force would no doubt reflect the principles for such forces within the CSCE region set out in the decisions of the Rome Council of CSCE on 1 December 1993 (S/26843), namely respect for sovereignty and territorial integrity; consent of the parties; impartiality; multinational character; clear mandate; transparency; an integral link to a political process for resolution of the conflict; and a plan for orderly withdrawal. The size of UNOMIG under this option would depend primarily on the deployment and activities of the multinational force. A preliminary estimate is that up to 200 military observers would be required, with the necessary civilian support.

23. The Security Council indicated clearly in resolution 881 (1993) that its attitude to United Nations peace-keeping efforts in Abkhazia would depend to an important extent on there being substantive progress towards a political settlement. Such progress has so far been limited, although the fact that direct discussions have started between the parties is an important step forward. The present position is that the Georgian side has stated its readiness to consider extensive autonomy for Abkhazia within the territorial integrity of Georgia. My Special Envoy and his colleagues have drawn the two sides' attention to the wide range of options that exist for such an arrangement. The Abkhaz side, however, has so far been unwilling to accept this possibility and its leadership has pressed for complete independence. In the course of the negotiations, my Special Envoy, with the support of the representatives of the Russian Federation and CSCE, has unequivocally stated that international recognition would not be given to any entity that attempted to change international boundaries by force. On the other hand, a freely negotiated settlement based on autonomy for Abkhazia and approved in an internationally observed referendum, once the previous multi-ethnic population had returned to its homes, would command full international support.

24. In these circumstances, I recommend that the Council decide to maintain UNOMIG with its present mandate and strength of up to 55 observers, for a limited period to 15 March 1994, to permit time for further consultations to proceed and, in particular, for the parties to demonstrate their willingness to make substantive progress on the political issues. Extension until 15 March 1994 will enable the Security Council to take the necessary decisions about the future of United Nations peace-keeping in Abkhazia in the light of the results of the third round of negotiations, which is to begin on 22 February 1994. I shall submit, as soon as possible, an addendum to the

present report stating the financial implications of the extension of UNOMIG's mandate.

25. In the light of my discussions with Mr. Shevardnadze in Paris, I have instructed my staff to explore with the Chief Military Observer of UNOMIG whether effective use could be made of a further increase in the size of UNOMIG beyond 55 observers. In the event that a useful task can be identified, I might wish to recommend to the Council such an increase.

26. In postponing a substantive recommendation, I am conscious both of the fragility of the current cease-fire and of the consequent delay in starting the organized return of refugees and displaced persons. I therefore appeal to the two sides both to exercise maximum restraint and, at the technical meeting in Moscow on 8 February and at the third round of negotiations later that month, to begin substantive discussion of the future political status of Abkhazia. I know that I can also count on the Russian Federation, which has troops deployed in Abkhazia, to do everything possible to ensure that peaceful conditions are maintained during this transitional phase. In this context, I wish to place on record my appreciation for the cooperation and support already extended by the Russian Government to my Special Envoy in his efforts to help the parties to reach a lasting settlement of their conflict.